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PTO/SB/21 (09-04) (AW 10/2004)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                      |                          |
|----------------------|--------------------------|
| Application Number   | 10/712,126               |
| Filing Date          | November 13, 2003        |
| First Named Inventor | Kazuhisa Yamamoto et al. |
| Art Unit             | 2828                     |
| Examiner Name        | Dung T. Nguyen           |
| Attorney Docket No.  | SNK-3750US4              |

### ENCLOSURES (Check all that apply)

Fee Transmittal Form  
 Fee Attached

Amendment/Reply  
 After Final  
 Affidavits/Declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/  
Incomplete Application  
 Response to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a  
Provisional Application  
 Power of Attorney, Revocation,  
Change of Correspondence  
Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
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After Allowance Communication  
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### Remarks:

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

|              |                    |                  |        |
|--------------|--------------------|------------------|--------|
| Firm Name    | RatnerPrestia      |                  |        |
| Signature    |                    |                  |        |
| Printed Name | Lawrence E. Ashery |                  |        |
| Date         | May 25, 2007       | Registration No. | 34,515 |

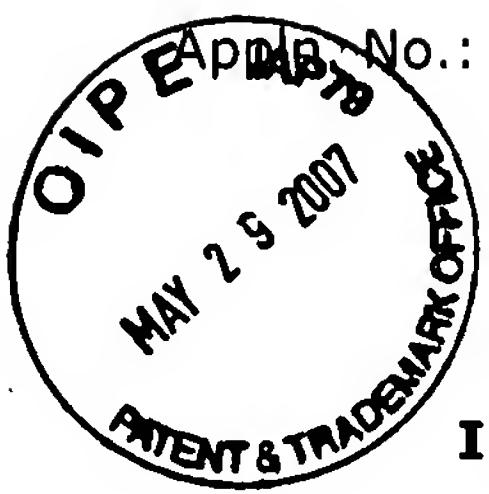
### CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                |      |              |
|-----------------------|----------------|------|--------------|
| Signature             |                |      |              |
| Typed or Printed Name | Deborah Spratt | Date | May 25, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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Appl. No.: 10/712,126

SNK-3750US4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/712,126  
Applicant: Kazuhisa YAMAMOTO et al.  
Filed: November 13, 2003  
Title: OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND  
METHOD OF PRODUCING OPTICAL DEVICE  
TC/A.U.: 2828  
Examiner: Dung T. Nguyen  
Confirmation No.: 7681  
Docket No.: SNK-3750US4

**PETITION UNDER 37 C.F.R. §1.181  
FOR ACKNOWLEDGEMENT OF PRIORITY CLAIM**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

This Petition is being filed in response to the Notice of Allowance dated **May 22, 2007** to request a Supplemental Notice of Allowance which acknowledges Applicants' foreign priority claim.

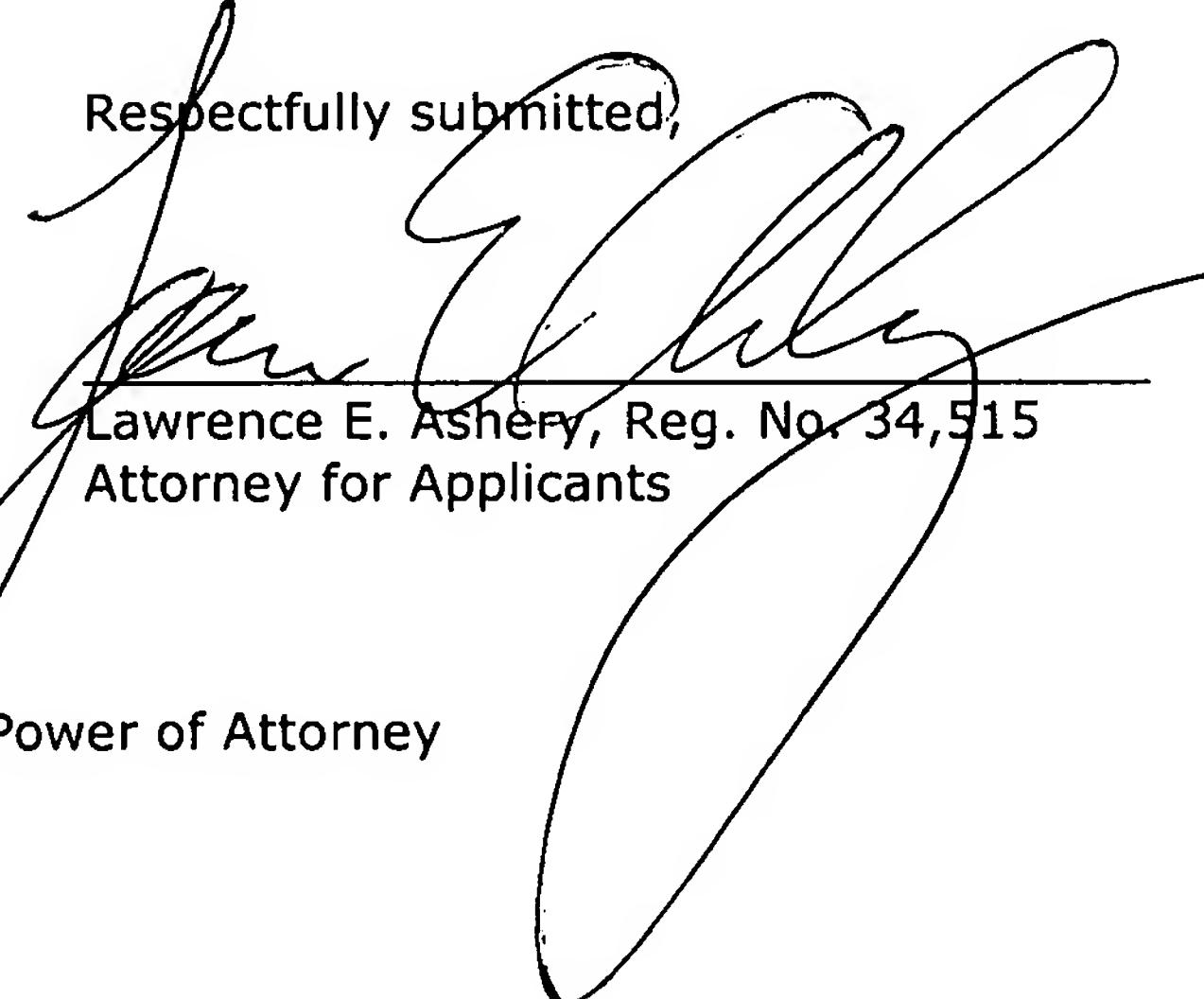
As evidenced by the Filing Receipt and the Declaration and Power of Attorney, a claim for foreign priority has been made and certified copies of the priority documents have been received.

Accordingly, the foreign priority claim should be acknowledged on the Notice of Allowance.

Issuance of a Supplemental Notice of Allowance is respectfully requested.

It is respectfully requested that issuance of a Patent from the above-identified application be suspended until the requested acknowledgements are provided.

Respectfully submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicants

LEA/ds

Enclosures: Copy of Filing Receipt  
Copy of Declaration and Power of Attorney

Dated: May 25, 2007

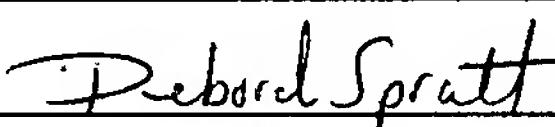
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The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

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May 25, 2007

Deborah Spratt



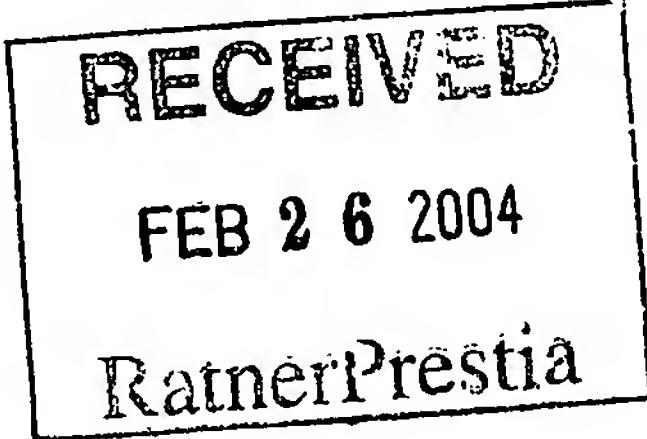
ds/155553

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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|----------------|----------|----------|----------|
| 10/712,126 | 11/13/2003                | 2828     | 856           | YAO-3750US4    | 30       | 13       | 4        |

23122  
RATNERPRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482-0980

**CONFIRMATION NO. 7681****FILING RECEIPT**

\*OC000000011955259\*

Date Mailed: 02/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Kazuhisa Yamamoto, Osaka, JAPAN;  
Kiminori Mizuuchi, Osaka, JAPAN;  
Yasuo Kitaoka, Osaka, JAPAN;  
Makoto Kato, Nishinomiya-shi, JAPAN;

**Domestic Priority data as claimed by applicant**

This application is a DIV of 09/922,978 08/06/2001  
which is a DIV of 08/973,380 03/16/1998 PAT 6,333,943

**Foreign Applications**

JAPAN 7-136471 06/02/1995  
JAPAN 7-168461 07/04/1995

**If Required, Foreign Filing License Granted: 02/23/2004****Projected Publication Date: 06/03/2004****Non-Publication Request: No****Early Publication Request: No****Title****COPY**

**COPY**

Optical device, laser beam source, laser apparatus and method of producing optical device

**Preliminary Class**

372

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**LICENSE FOR FOREIGN FILING UNDER  
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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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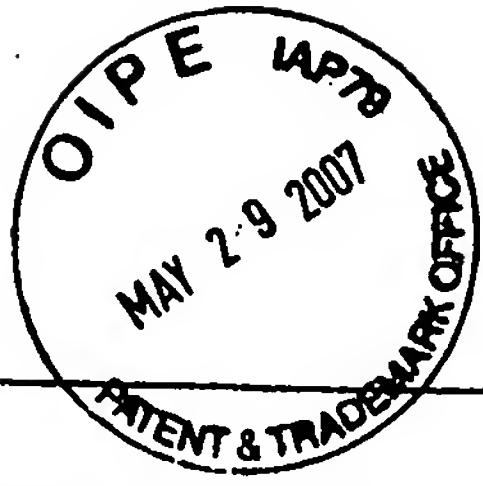
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**COPY**



Page 1 of 3

## Declaration and Power of Attorney For Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTICAL DEVICE, LASER BEAM SOURCE, LASER APPARATUS AND METHOD OF PRODUCING OPTICAL DEVICE, the specification of which is attached hereto unless the following box is checked:

was filed on 30/05/1996 as

United States Application Number or PCT International Application Number PCT/JP96/01472 and was amended on 1/05/1997 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

7-136471

Japan

02/06/1995

Priority Not Claimed

(Number)

7-168461

(Country)

(Day/Month/Year Filed)



(Number)

7-168461

Japan

04/07/1995



(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:



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Page 2 of 3

|                      |               |   |
|----------------------|---------------|---|
| (Application Number) | (Filing Date) | (Status - patented, pending, abandoned) |
| .....                | .....         | .....                                   |
| (Application Number) | (Filing Date) | (Status - patented, pending, abandoned) |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

|                   |                 |                         |                  |                   |                  |
|-------------------|-----------------|-------------------------|------------------|-------------------|------------------|
| Paul F. Prestia   | Reg. No. 23,031 | Lawrence E. Ashery      | Reg. No. 34,515  | Louis W. Beardell | Reg. No. P40,506 |
| Allan Ratner      | Reg. No. 19,717 | Christopher R. Lewis    | Reg. No. 36,201  | Ian M. Hughes     | Reg. No. P41,083 |
| Andrew L. Ney     | Reg. No. 20,300 | Steven E. Koffs         | Reg. No. 37,163  | Basil S. Krikilis | Reg. No. P41,129 |
| Kenneth N. Nigon  | Reg. No. 31,549 | Anthony L. DiBartolomeo | Reg. No. 37,308  |                   |                  |
| Kevin R. Casey    | Reg. No. 32,117 | Allan M. Wheatcraft     | Reg. No. 36,307  |                   |                  |
| Guy T. Donatiello | Reg. No. 33,167 | Anthony Grillo          | Reg. No. 36,535  |                   |                  |
| Benjamin E. Leace | Reg. No. 33,412 | Leon Nigohosian, Jr.    | Reg. No. 39,791  |                   |                  |
| James C. Simmons  | Reg. No. 24,842 | Jonathan M. Waldman     | Reg. No. P40,861 |                   |                  |

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Ratner & Prestia, Suite 301, One Westlakes, Berwyn, P.O. Box 980, Valley Forge, PA 19482-0980  
Address all telephone calls to: Steven E. Koffs at (610) 407-0700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's signature Kazuhisa Yamamoto Date February 27, 1998

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Second Inventor's signature Kiminori Mizuuchi Date February 27, 1998

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Page 3 of 3

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Fourth inventor's signature Makoto Kato

Date February 27, 1998

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Fifth inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of sixth joint inventor, if any (given name, family name) \_\_\_\_\_

Sixth inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

Full name of seventh joint inventor, if any (given name, family name) \_\_\_\_\_

Seventh inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address \_\_\_\_\_

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